

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Timothy Lee Wilkinson
Christine Marie Wilkinson
Debtors

Chapter:13

Case number:1:19-bk-03021

Timothy Lee Wilkinson
Christine Marie Wilkinson
Movants

Matter: MOTION TO DETERMINE
SECURED STATUS

vs,

PENNSYLVANIA HOUSING FINANCE
AGENCY
Respondent

Notice

NOTICE OF OPPORTUNITY TO OBJECT AND HEARING: Pursuant to Local Rule 2002-1(a), the Court will consider this motion, objection or other matter without further notice or hearing unless a party in interest files an objection/response within twenty-one (21) days of the date of the notice. If you object to the relief requested, you must file your objection/response with the Clerk, U. S. Bankruptcy Court, 228 Walnut Street, Third Floor, Harrisburg PA 17101 and serve a copy on the movant and movant's attorney, if one is designated.

If you file and serve an objection/response within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

Date: January 14, 2020

Dorothy L. Mott, Esquire
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER 13
TIMOTHY LEE WILKINSON	:	
CHRISTINE MARIE WILKINSON	:	CASE NO. 1:19-bk-03021
Debtors	:	
	:	
TIMOTHY LEE WILKINSON	:	
CHRISTINE MARIE WILKINSON,	:	
Movants	:	
	:	
v.	:	
	:	
PENNSYLVANIA HOUSING FINANCE	:	
AGENCY	:	
Respondent	:	
	:	

MOTION TO DETERMINE SECURED STATUS

COME NOW the Debtors, by and through Dorothy L. Mott, Esquire, and respectfully move the Court pursuant to Section 506 of the Code to Determine Secured Status asserted by the Respondent, respectfully stating in support thereof:

1. The Debtors filed the above-captioned bankruptcy on 7/15/2019.
2. Debtor listed the following property on Schedule A: 757 Gablers Road, Gardners, PA (the "Property.")
3. The Property is encumbered by: 21st Mortgage and PHFA.
4. The fair market value of the Property is \$180,000.00.
5. A senior mortgage payable to 21st Mortgage totaling \$425,936.91 encumbers the Property.
6. Respondent holds a wholly unsecured claim.

WHEREFORE, Debtors request the entry of an order:

- (i) granting this motion;
- (ii) determining that the value of the Property is \$180,000.00;
- (iii) determining that the Respondent's claim is unsecured; and
- (iv) voiding the Respondent's junior mortgage upon completion of the Chapter 13 plan; and
- (v) granting any other relief the Court deems appropriate.

Respectfully submitted,

/s/ Dorothy L. Mott
Dorothy L. Mott, Esquire
Attorney ID# 43568
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	:	
TIMOTHY LEE WILKINSON	:	
CHRISTINE MARIE WILKINSON,	:	
Movants	:	
	:	
v.	:	
	:	
PENNSYLVANIA HOUSING FINANCE	:	
AGENCY,	:	
Respondent/Claimant	:	

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on January 14, 2020, I served a copy of the foregoing document(s) electronically or by placing the same in the United States Mail, First Class, postage pre-paid, addressed as follows on the following parties:

Name and Address	Mode of Service
CHARLES J DEHART, III, ESQUIRE 8125 ADAMS DRIVE SUITE A HUMMELSTOWN, PA 17036 dehartstaff@pamd13trustee.com ,	Electronically
PENNSYLVANIA HOUSING FINANCE AGENCY 211 NORTH FRONT STREET HARRISBURG PA 17101-1406 jgreenhowe@phfa.org	Electronically

I certify under penalty of perjury that the foregoing is true and correct.

Date: 01/14/2020

/s/ Dorothy L. Mott
Dorothy L. Mott, Esquire
Attorney ID# 43568
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CHRISTINE MARIE WILKINSON,	:	
Movants	:	
	:	
v.	:	
	:	
PENNSYLVANIA HOUSING FINANCE	:	
AGENCY,	:	
Respondent/Claimant	:	
	:	
	:	
	:	

ORDER

UPON CONSIDERATION of the Motion to Determine Secured Status, and after notice and opportunity for hearing thereon, it is hereby
ORDERED AND DECREED that

- (i) the motion is granted; and
- (ii) the value of the Property is \$180,000.00; and
- (iii) the Respondent's claim is unsecured; and
- (iv) the Respondent's junior mortgage is avoided upon completion of the Chapter 13 plan;

and

- (v) the Respondent shall satisfy the mortgage of record within 60 days of the entry of the discharge order.